

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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UNITED STATES OF AMERICA,

Plaintiff,

v.

CASE NO. 1:02-CR-71

LEROY HENRY LEWIS,

HON. ROBERT HOLMES BELL

Defendant.

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**MEMORANDUM OPINION**

This matter is before the Court on defendant's Motion for Modification or Reduction of Sentence Pursuant to 18 U.S.C. §3582(c)(2) on the basis of Amendment 750 (docket # 74). The Probation Department has filed a Report of Eligibility (ECF No. 91) and finds the defendant is ineligible for a reduction of sentence based upon Guideline Amendment 750 because the defendant is an armed career offender and the drug guideline was not used to determine the offense level. No objections have been filed to the report of eligibility.

ACCORDINGLY, defendant's motion (docket #74) is **DENIED**.

Dated: June 28, 2016

/s/ Robert Holmes Bell

ROBERT HOLMES BELL

UNITED STATES DISTRICT JUDGE